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PTO/SB/21 (08-00)

CUSTOMER NO. 00270

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/806,200	
	Filing Date	03/22/04	
	First Named Inventor	Yoshio Ohyama	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in this Submission		Attorney Docket Number	KIN100USA

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Submission of deficiency in fee due to erroneous establishment of small entity status under 37 C.F.R. §1.28
Remarks:		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

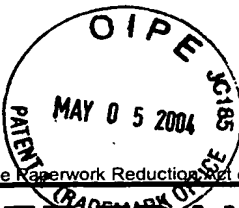
Firm or Individual Name	George A. Smith, Jr.		
Signature			
Date	04/28/04		

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 04/28/04

Typed or printed name	George A. Smith, Jr.		
Signature		Date	04/28/04

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 385.00

**Complete if Known**

Application Number	10/806,200
Filing Date	03/22/04
First Named Inventor	Yoshio Ohyama
Examiner Name	
Art Unit	
Attorney Docket No.	KIN100USA

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

08-3040

Howson and Howson

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ )

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) Deficiency in filing fee 385.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 385.00

**SUBMITTED BY**

Name (Print/Type)

George A. Smith, Jr.

Registration No.

24,442

(Complete if applicable)

Telephone 215-540-9200

Signature

Date

4/28/04

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/806200  
Applicant: Yoshio Ohyama  
Filed: March 22, 2004  
TC/A.U.:  
Examiner:  
Docket No.: KIN100USA  
Customer No. 00270

Confirmation No: \_\_\_\_\_

SUBMISSION OF DEFICIENCY IN  
FEE DUE TO ERRONEOUS  
ESTABLISHMENT OF SMALL  
ENTITY STATUS UNDER  
37 C.F.R. §1.28

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING  
UNDER 37 C.F.R. §1.8(a)(1)(ii)  
(PATENT)

I certify that this paper is being deposited on the  
date shown below with the United States Postal  
Service, with sufficient postage, as first class mail  
and is addressed to "Commissioner for Patents,  
P. O. Box 1450, Alexandria, VA 22313-1450."

Signed  
Date:

*George A. Smith*  
April 28, 2004

Sir:

Following the filing of this application, on March 22, 2004, it was discovered that the applicant's status as a small entity was established in error. The applicant is not entitled to small entity status and submits herewith the deficiency required by 37 C.F.R. §1.28, as determined by the itemization below.

Particular type of fee that  
was erroneously paid: Basic statutory filing fee

Current fee amount for non-small entity: \$770

Small entity fee actually paid on  
March 22, 2004: \$385

Deficiency amount owed \$385

Total deficiency payment owed  
(check enclosed) \$385

05/07/2004 AWONDAF1 00000056 10806200

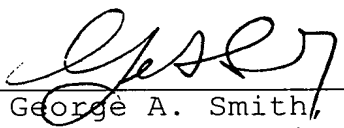
01 FC:1001

770.00 0P

Application No.: 10/806200  
This paper dated: April 28, 2004

Please charge any deficiency or processing fee to our  
deposit account 08-3040.

Respectfully submitted,  
HOWSON & HOWSON

By   
George A. Smith, Jr.  
Reg. No. 24,442  
Howson & Howson  
Box 457  
Spring House, PA 19477  
Telephone: 215 540 9200  
Facsimile: 215 540 5818

Enclosure:  
Check for \$385